

Application No.: 10/658,260

Docket No.: 22106-00042-US

**REMARKS**

Claims 14-26 are pending in the case. Claims 1-13 were previously canceled. Reconsideration is respectfully requested.

In the outstanding Office Action claims 14-18 and 20-23 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,836,137 (Hartmann); claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmann in view of U.S. Patent No. 5,548,279 (Gaines); claims 24 -26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of U.S. Patent No. 4,706,073 (Vila Masot).

***Claim Rejections under 35 U.S.C. Section 102***

Claims 14-18 and 20-24 were rejected under 35 U.S.C. 102(e) as being anticipated by Hartmann. Applicants respectfully traverse the rejection.

Hartmann discloses a current measuring device in the form of a Hall sensor that is disposed in an individual current/voltage supply line device with a common current/voltage supply unit.<sup>1</sup> In particular, Hartmann discloses a testing device comprising: means for detecting the current; means for transmission of a signal indicative of the current; and electronic means for feeding the device and communication. Specifically, Hartmann simply disclose the use of a programmable power supply unit or the use of shared power supplies.<sup>2</sup>

In addition, Hartmann teaches the use of Hall current sensors having different measurement ranges. Further, Hartmann discloses the measurement of each Hall sensor is then selected by the evaluation/control unit 68 depending on the saturation status of the Hall sensor.<sup>3</sup> Specifically, Hartmann discloses the Hall sensors are fed in parallel.<sup>4</sup>

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<sup>1</sup> Hartmann at ABSTRACT.

<sup>2</sup> *Id.* at column 3, lines 38-43.

<sup>3</sup> *Id.* at see column 5, lines 5-10.

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However, Hartmann nowhere discloses: "connecting means for feeding the device" or "means for detecting a current in an intermittent manner and according to a predefined frequency that depends from an accuracy of the measurement of current to be performed and energy savings to be achieved," as recited in claim 14. Therefore, it is respectfully submitted that Hartmann does not disclose the claimed invention and that claim 14, and those dependent thereon, patently distinguish thereover.

*Claim Rejections under 35 U.S.C. Section 103*

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmann in view of Gaines. Applicant respectfully traverses the rejection.

Claim 19 is ultimately dependent upon claim 14. As discussed above, Hartmann nowhere discloses all the limitations of claim 14. Therefore, at least for the reasons above, Hartmann also does not disclose claim 19.

The outstanding Office acknowledges deficiencies in Hartmann and attempts to overcome these deficiencies with Gaines. However, as discussed below, Gaines cannot overcome all of the deficiencies of Hartmann.

Gaines discloses a method and apparatus for detecting a power line.<sup>5</sup> In particular, Gaines discloses a power line detecting apparatus that includes a sensing means 16 for detecting the magnetic field generated by the current conducted through power lines 12.<sup>6</sup> Further, Gaines discloses a controller 60, memory device 62 and analog-to-digital converter 64.<sup>7</sup>

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<sup>4</sup> *Id.* at Figure 1.

<sup>5</sup> Gaines at ABSTRACT.

<sup>6</sup> *Id.* at FIG. 2; column 4, lines 19-23.

<sup>7</sup> *Id.* at FIG. 3; column 4, lines 18-44.

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However, Gaines nowhere discloses: "connecting means for feeding the device" or "means for detecting a current in an intermittent manner and according to a predefined frequency that depends from an accuracy of the measurement of current to be performed and energy savings to be achieved," as recited in claim 14. Thus, Gaines cannot overcome all of the deficiencies of Hartmann. Therefore, it is respectfully submitted that neither Hartmann nor Gaines, whether taken alone or in combination, disclose, anticipate or make obvious the claimed invention and that claim 14, and claims dependent thereon, patently distinguish thereover.

Claims 24 -26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmann in view of Vila Masot.

Claims 24-26 are ultimately dependent upon claim 14. As discussed above, Hartmann nowhere discloses all the limitations of claim 14. Therefore, at least for the reasons above, Hartmann also does not disclose all the limitations of claims 24-26.

The outstanding Office acknowledges deficiencies in Hartmann and attempts to overcome these deficiencies with Vila Masot. However, as discussed below, Vila Masot cannot overcome all of the deficiencies of Hartmann.

The outstanding Office Action acknowledges other deficiencies in Hartmann and attempts to overcome those deficiencies with Vila Masot. However, Vila Masot cannot overcome the deficiencies of Hartmann, as will be discussed below.

Vila Masot discloses an alarm system used in conjunction with a circuit breaker panel box indicating the presence of an overload condition.<sup>8</sup> In particular, Vila Masot discloses a light sensor or a plurality of light sensors 40 is mounted on the inside of the circuit panel door 42.<sup>9</sup> In addition, Vila Masot discloses the circuit panel further includes a plurality of circuit breaker switches 44 and a light-emitting diode, electroluminescent device 46 or similarly illuminated lamp associated with each switch.<sup>10</sup>

<sup>8</sup> Vila Masot at ABSTRACT.

<sup>9</sup> *Id.* at column 4, lines 2-4.

<sup>10</sup> *Id.* at column 4, lines 2-4.

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However, Vila Masot nowhere discloses, as claim 14 recites:

means for detecting a current in an intermittent manner  
and according to a predefined frequency that depends from an  
accuracy of the measurement of current to be performed and an  
energy savings to be achieved.

That is, Vila Masot nowhere discloses the limitations of: "means for detecting a current in an intermittent manner and according to a predefined frequency," as recited in claim 14. In addition, Vila Masot fail also to disclose that "a predefined frequency depends from an accuracy of the measurement of current to be performed and to an energy savings to be achieved," as recited in claim 14. Thus, Vila Masot cannot overcome the deficiencies of Hartmann.

Therefore, it is respectfully submitted that neither Hartmann nor Vila Masot, whether taken alone or in combination, disclose, suggest or make obvious the claimed invention and that claims 24-26, and claims dependent thereon, patentably distinguish thereover.

### *Conclusions*

Please charge our Deposit Account No. 22-0185, under Order No. 22106-00056-US1 from which the undersigned is authorized to draw for any fees that are due with this response.

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Respectfully submitted,

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